

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8497 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?
1 to 5 No

SANJAYBHAI BECHARBHAI

Versus

A'BAD MUNICIPAL CORPORATION

Appearance:

MR VB GHARANIYA for Petitioners
Mr.M.R. Anand, senior counsel, with Mr. D.C.
Raval, learned counsel, for the respondent.

CORAM : MR.JUSTICE M.R.CALLA

Date of decision: 18/01/97

ORAL ORDER :

Rule. Mr. Anand waives service of Rule on behalf of respondent.

Mr. Anand has submitted that out of the 9 petitioners, petitioners Nos.4,5,7 and 8 have been selected for the post of Mukadam and have already been appointed as such. Petitioners Nos. 2 and 6 have failed in the test and petitioners Nos.1,3 and 9 have been found

to be ineligible. In this view of the matter, no orders can be passed with regard to petitioners Nos.2,6, and 1,3, 9 so as to appoint them as Mukadams. Mr.Gharania has submitted that even if the petitioners Nos.2 and 6 have failed and even if petitioners Nos.1,3 and 9 have been found to be ineligible, their grievance is that the Ahmedabad Municipal Corporation has not granted the dues to these 5 petitioners and other petitioners in terms of this Court's order dated 11.10.94 passed as a common order whereby Special Civil Application No.3619/94 was decided alongwith other Special Civil Applications on the same day. Mr. Anand has submitted that in case any relief is found to be due to be given to the petitioners in terms of the order dated 11.10.94, the petitioners shall be heard on their representation as to whether they are entitled to any relief under the Court's order dated 11.10.94 as aforesaid. It is, therefore, ordered that should the petitioners, who have failed and who have been found to be ineligible as also the petitioners who have been selected, make any representation within a period of one month from today that some relief remains to be granted to them in terms of this court's earlier order dated 11.10.94, the Ahmedabad Municipal Corporation shall consider such representation and if any relief is found to be due to be granted, appropriate orders in this regard shall be passed on their representation within a period of one month from the date of the receipt of the representation and such orders shall also be conveyed to the concerned petitioners.

In this view of the matter, learned counsel for the petitioner seeks to withdraw this petition. The same is accordingly dismissed as withdrawn. Rule is hereby discharged with no order as to costs. Direct service is permitted.